

REMARKS

As the previously submitted response to the final Office Action was not entered, Applicants instead have filed a Request for Continued Examination and submit the enclosed amendments and additional comments to respond to the Examiner's arguments in the Advisory Action.

Pursuant to discussion between Examiner Martin J. Angebranndt and Applicants' representative, Evert F. Uy, on March 23, 2006, Applicants present the following comments, which are substantially in accord with those presented during the discussion.

Claims 11-19 and 21-24, as amended, are pending for the Examiner's review and consideration. Claim 20 has been cancelled. In the specification, various paragraphs on various pages have been amended to correct a few typographical errors and grammatical errors. Many of the amendments involve replacing "dioctylphthalate" with "dioctylphthalate." Claims 11 and 17 have been amended to recite that the dye is present in an amount of 0.1 weight percent to 10 weight percent of the information layer and to further recite that the plasticizer is present in an amount of 10 weight percent to 50 weight percent of the information layer. Support for these amendments is found, for example, in the specification at page 5, line 11, original claims 2 and 4, and the various examples.

The Advisory Action states that the specification only describes the fluorescent dye in terms of the fluorescent composition coating solution. Applicants respectfully disagree. Applicants direct the Examiner's attention to Example 1 in the specification. Example 1 describes a solution of 1% polyvinylacetate, 0.013% of dye, and 0.2% of plasticizer in ethanol and ethyl cellusolve (1:1). Ethanol and ethyl cellusolve act as the solvent for the three components. The percentage of the components are proportional to the amounts in the solution and in the information layer. The weight percent of dye in the information layer is therefore calculated as $0.013 / (1 + 0.013 + 0.2)$ multiplied by 100, which results in about 1%. This weight percent is within the range recited in the claims. Accordingly, the specification provides the weight percent of the dye in the information layer.

Applicants appreciate the Examiner's recognition of the allowance of claims 21-24 if the claims were amended to recite the transmittance as being at the wavelength of maximum absorbance. Independent claim 21 has been amended accordingly. No new matter

has been introduced by any of the amendments herein, such that entry of the claims is warranted at this time.

Applicants also appreciate the acceptance of the amendments to the specification and the withdrawal of the double patenting rejections based upon U.S. Patent Nos. 6,835,431 and 6,682,799. The Advisory Action notes that the terminal disclaimer filed March 2, 2006 obviates the double patenting rejection of claims 11-24 over claims 9-27 of U.S. Application No. 10/917,384.

Claims 21-24 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement for the reasons set forth on page 2 of the Office Action. In particular, the Office Action states that transmittance is measured at the wavelength of maximum absorption, not the emission wavelength. Claim 21 has been amended to recite a wavelength of maximum absorption. Accordingly, this rejection under 35 U.S.C. § 112, first paragraph has been overcome and should be withdrawn.

Claims 11-12, 14, and 16 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,227,495 to Inagaki et al. ("Inagaki") in view of U.S. Patent No. 5,492,792 to Tamura et al. ("Tamura") and U.S. Patent No. 5,639,588 to Huh ("Huh") for the reasons set forth on pages 2-5 of the Office Action.

Claims 11-14 and 16-19 were rejected under 35 U.S.C. § 103(a) as obvious over Inagaki, in view of Tamura and Huh, and further in view of U.S. Patent No. 5,283,094 to Sasakawa et al. ("Sasakawa") for the reasons set forth on pages 5-6 of the Office Action.

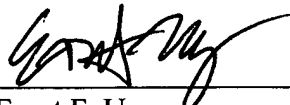
Claims 11-19 were rejected under 35 U.S.C. § 103(a) as obvious over Inagaki, in view of Tamura and Huh, and further in view of Sasakawa and U.S. Patent No. 4,904,574 to Suzuki ("Suzuki") for the reasons set forth on pages 6-7 of the Office Action.

Applicants maintain that the combination of the cited references do not teach or suggest the claimed invention and that Tamura teaches away from the claimed dye concentrations. To expedite prosecution and the allowance of the claims, however, Applicants have amended claims 11 and 17 to recite the feature of claim 20, *i.e.*, that the plasticizer is present in an amount of 10 weight percent to 50 weight percent of the information layer. Applicants therefore respectfully request that these rejections under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Accordingly, the entire application is now in condition for allowance, early notice of which would be appreciated. Should the Examiner not agree with the Applicants' position, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

Respectfully submitted,

3/29/06
Date



Evert F. Uy (Reg. No. 57,004)
For: Allan A. Fanucci (Reg. No. 30,256)

WINSTON & STRAWN LLP
Customer No. 28765

(202) 282-5793